

CHAPTER 132
CONTINUING EDUCATION FOR MASSAGE THERAPISTS

645—132.1(152C) Definitions. For the purpose of these rules, the following definitions shall apply:
“*Active license*” means the license of a person who is acting, functioning, and working in compliance with license requirements.

“*Administrator*” means the administrator of the board of examiners for massage therapy.

“*Approved program/activity*” means a continuing education program/activity meeting the standards set forth in these rules, which has received advance approval by the board pursuant to these rules.

“*Approved sponsor*” means a person or an organization sponsoring continuing education activities that has been approved by the board as a sponsor pursuant to these rules. During the time an organization, educational institution, or person is an approved sponsor, all continuing education activities of such organization, educational institution, or person may be deemed automatically approved.

“*Audit*” means the selection of licensees for verification of satisfactory completion of continuing education requirements during a specified time period or the selection of providers for verification of adherence to continuing education provider requirements during a specified time period.

“*Board*” means the board of examiners for massage therapy.

“*Continuing education*” means planned, organized learning acts acquired during initial licensure designed to maintain, improve, or expand a licensee’s knowledge and skills in order for the licensee to develop new knowledge and skills relevant to the enhancement of practice, education, or theory development to improve the safety and welfare of the public.

“*Hour of continuing education*” means a clock hour spent by a licensee in actual attendance at and completion of an approved continuing education activity.

“*Inactive license*” means the license of a person who is not engaged in practice in the state of Iowa.

“*Lapsed license*” means a license that a person has failed to renew as required, or the license of a person who has failed to meet stated obligations for renewal within a stated time.

“*License*” means license to practice.

“*Licensee*” means any person licensed to practice as a massage therapist in the state of Iowa.

645—132.2(152C) Continuing education requirements.

132.2(1) The biennial continuing education compliance period shall be run concurrently with each renewal period. Each biennium, each person who is licensed to practice as a licensee in this state shall be required to complete a minimum of 12 hours of continuing education approved by the board.

132.2(2) Requirements of new licensees. Those persons licensed for the first time shall not be required to complete continuing education as a prerequisite for the first renewal of their licenses. Continuing education hours acquired anytime from the initial licensing until the second license renewal may be used. The new licensee will be required to complete a minimum of 12 hours of continuing education per biennium for each subsequent license renewal.

132.2(3) Hours of continuing education credit may be obtained by attending and participating in a continuing education activity. These hours must be approved by the board or otherwise meet the requirements herein and be approved by the board pursuant to statutory provisions and the rules that implement them.

132.2(4) No hours of continuing education shall be carried over into the next biennium.

132.2(5) It is the responsibility of each licensee to finance the cost of continuing education.

645—132.3(152C) Standards for approval.

132.3(1) General criteria. A continuing education activity which meets all of the following criteria is appropriate for continuing education credit if it is determined by the board that the continuing education activity:

- a. Constitutes an organized program of learning which contributes directly to the professional competency of the licensee;
- b. Pertains to subject matters which integrally relate to the practice of the profession;
- c. Is conducted by individuals who have specialized education, training and experience by reason of which said individuals should be considered qualified concerning the subject matter of the program. The application must be accompanied by a paper, manual or outline which substantively pertains to the subject matter of the program and reflects program schedule, goals and objectives. The board may request the qualifications of presenters;
- d. Fulfills stated program goals, objectives, or both; and
- e. Provides proof of attendance to licensees in attendance including:
 - (1) Date, location, course title, presenter(s);
 - (2) Number of program contact hours (One contact hour equals one hour of continuing education credit.); and
 - (3) Official signature or verification by program sponsor.

132.3(2) Specific criteria.

- a. A licensee may obtain continuing education hours of credit by attending:
 - (1) Programs listed but not limited to: hydrotherapy; superficial hot and cold applications; vibration and topical applications; contraindications; pathology; HIV/AIDS education. Also included is therapy which involves manipulation of the muscle and connective tissue of the body to treat the muscle tonus system for the purpose of enhancing health, providing muscle relaxation, increasing range of motion, reducing stress, relieving pain, or improving circulation.
 - (2) Courses on herbology, aromatherapy, homeopathy and other similar areas are eligible for approval only if they specifically teach topical application techniques for professional practitioners. Only the number of hours spent on teaching, explaining or demonstrating topical application are eligible for continuing education credit and must be specifically described and scheduled in the continuing education program application.
 - (3) Continuing education activities of an approved sponsor.
- b. The maximum number of hours in each category in each biennium is as follows:
 - (1) Two hours of credit per biennium may be granted for each of the following topics: professional ethics; CPR/first aid.
 - (2) Six hours of credit per biennium may be granted for home study courses, which include written and electronically transmitted material or video, if the following criteria are met:
 1. There is an approved sponsoring person, group or agency;
 2. The program meets all the criteria set forth in standards for approval of continuing education;
 3. The program is accompanied by a certificate of postcourse testing which includes the participant's examination score and the passing examination score; and
 4. The program is accompanied by a certificate of completion which includes:
 - Course title;
 - Date of completion;
 - Number of program hours; and
 - Verification that the course was conducted by home study delivery.
- c. Unacceptable subject matter may include but is not limited to: meditation, feng shui, personal development, practice management, communication, government regulation, insurance, collective bargaining, community service presentations or courses that do not deal with manipulation. Courses about energy-based techniques performed without physical manipulation of tissue are not eligible for approval.

645—132.4(152C) Approval of sponsors, programs, and activities for continuing education.

132.4(1) *Approval of sponsors.* An applicant who desires approval as a sponsor of courses, programs, or other continuing education activities shall, unless exempted elsewhere in these rules, apply for approval to the board on the form designated by the board stating the applicant's educational history for the preceding two years or proposed plan for the next two years.

a. The form shall include the following:

- (1) Date(s), location, course title(s) offered and program description;
- (2) Total hours of instruction presented;
- (3) Names and qualifications of instructors including résumés or vitae; and
- (4) Evaluation form(s).

b. Records shall be retained by the sponsor for four years.

c. Attendance record report. The person or organization sponsoring an approved continuing education activity shall provide a certificate of attendance or verification to the licensee providing the following information:

- (1) Program date(s);
- (2) Course title and presenter;
- (3) Location;
- (4) Number of clock hours attended and continuing education hours earned;
- (5) Name of sponsor and sponsor number;
- (6) Licensee's name; and
- (7) Method of presentation.

d. All approved sponsors shall maintain a copy of the following:

- (1) The continuing education activity;
- (2) List of enrolled licensees' names and license numbers; and
- (3) Number of continuing education clock hours awarded for a minimum of four years from the date

of the continuing education activity.

e. The sponsor shall submit a report of all continuing education programs conducted in the previous year during the assigned month for reporting designated by the board. The report shall include:

- (1) Date(s), location, course title(s) offered and outline of content;
- (2) Total hours of instruction presented;
- (3) Names and qualifications of instructors including résumés or vitae;
- (4) Evaluation form(s); and
- (5) A summary of the evaluations completed by the licensees.

132.4(2) *Prior approval of programs/activities.* An organization or person other than an approved sponsor that desires prior approval of a course, program or other educational activity or that desires to establish approval of such activity prior to attendance shall apply for approval to the board on a form provided by the board at least 60 days in advance of the commencement of the activity. The board shall approve or deny such application in writing within 30 days of receipt of such application. The application shall state:

- a.* The date(s);
- b.* Course(s) offered;
- c.* Program description;
- d.* Total hours of instruction; and
- e.* Names and qualifications of speakers and other pertinent information.

The organization or person shall be notified of approval or denial by ordinary mail.

132.4(3) *Review of programs.* Continuing education programs/activities shall be reported every year at the designated time assigned by the board. The board may at any time reevaluate an approved sponsor or program. If, after reevaluation, the board finds there is cause for revocation of the approval of an approved sponsor, the board shall give notice of the revocation to that sponsor by certified mail. The sponsor shall have the right to hearing regarding the revocation. The request for hearing must be sent within 20 days after the receipt of the notice of revocation. The hearing shall be held within 90 days after the receipt of the request for hearing. The board shall give notice by certified mail to the sponsor of the date set for the hearing at least 30 days prior to the hearing. The board shall conduct the hearing in compliance with rule 645—11.9(17A).

132.4(4) *Postapproval of activities.* A licensee seeking credit for attendance and participation in an educational activity which was not conducted by an approved sponsor or otherwise approved shall submit to the board, within 60 days after completion of such activity, the following:

- a. The date(s);
- b. Course(s) offered;
- c. Program description;
- d. Total hours of instruction and credit hours requested;
- e. Names and qualifications of speakers and other pertinent information;
- f. Request for credit which includes a brief summary of the activity; and
- g. Certificate of attendance or verification.

Within 90 days after receipt of such application, the board shall advise the licensee in writing by ordinary mail whether the activity is approved and the number of hours allowed. A licensee not complying with the requirements of this subrule may be denied credit for such activity.

132.4(5) *Voluntary relinquishment.* The approved sponsor may voluntarily relinquish sponsorship by notifying the board office in writing.

645—132.5(152C) Reporting continuing education by licensee. At the time of license renewal, each licensee shall be required to submit a report on continuing education to the board on a board-approved form.

132.5(1) The information on the form shall include:

- a. Title of continuing education activity;
- b. Date(s);
- c. Sponsor of the activity;
- d. Board-approved sponsor number;
- e. Number of continuing education hours earned; and
- f. Teaching method used.

132.5(2) Audit of continuing education report. After each educational biennium, the board will audit a percentage of the continuing education reports before granting the renewal of licenses to those being audited.

- a. The board will select licensees to be audited.
- b. The licensee shall make available to the board for auditing purposes a copy of the certificate of attendance or verification for all reported activities that includes the following information:

- (1) Date, location, course title, schedule (brochure, pamphlet, program, presenter(s)), and method of presentation;

- (2) Number of contact hours for program attended; and

- (3) Indication of the successful completion of course.

- c. For auditing purposes, the licensee must retain the above information for two years after the biennium has ended.

- d. Submission of a false report of continuing education or failure to meet continuing education requirements may cause the license to lapse and may result in formal disciplinary action.

e. All renewal license applications that are submitted late (after the end of the compliance period) may be subject to audit of the continuing education report.

f. Failure to receive the renewal application shall not relieve the licensee of responsibility of meeting continuing education requirements and submitting the renewal fee by the end of the compliance period.

645—132.6(152C) Reinstatement of lapsed license. Failure of the licensee to renew within 30 days after expiration date shall cause the license to lapse. A person who allows the license to lapse cannot engage in practice in Iowa without first complying with all regulations governing reinstatement as outlined in the board rules. A person who allows the license to lapse may apply to the board for reinstatement of the license. Reinstatement of the lapsed license may be granted by the board if the applicant:

1. Submits a written application for reinstatement to the board;
2. Pays all of the renewal fees then due;
3. Pays all penalty fees which have been assessed by the board for failure to renew;
4. Pays reinstatement fee;
5. Provides evidence of satisfactory completion of continuing education requirements during the period since the license lapsed. The total number of continuing education hours required for license reinstatement is computed by multiplying 12 by the number of bienniums since the license lapsed to a maximum of five bienniums or 60 continuing education hours; and
6. If the license has lapsed for more than five bienniums, the licensee shall complete the National Certification Examination for Therapeutic Massage and Bodywork successfully within one year immediately prior to the submission of such application for reinstatement.

645—132.7(152C,272C) Continuing education waiver for active practitioners. A massage therapist licensed to practice massage therapy shall be deemed to have complied with the continuing education requirements of this state during the period that the licensee serves honorably on active duty in the military services or as a government employee outside the United States as a practicing massage therapist.

645—132.8(152C,272C) Continuing education exemption for inactive practitioners. A licensee who is not engaged in practice in the state of Iowa may be granted an exemption of continuing education compliance and obtain a certificate of exemption upon written application to the board. The application shall contain a statement that the applicant will not engage in the practice of massage therapy in Iowa without first complying with all regulations governing reinstatement after exemption. The application for a certificate of exemption shall be submitted upon forms provided by the board. The licensee shall have completed the required continuing education at the time of reinstatement.

645—132.9(152C,272C) Continuing education waiver for disability or illness. The board may, in individual cases involving disability or illness, grant waivers of the minimum educational requirements or extension of time within which to fulfill the same or make the required reports. No waiver or extension of time shall be granted unless written application therefor is made on forms provided by the board and signed by the licensee and appropriate licensed health care practitioners. The board may grant waiver of the minimum educational requirements for any period of time not to exceed one calendar year from the onset of disability or illness. In the event that the disability or illness upon which a waiver has been granted continues beyond the period of waiver, the licensee must reapply for an extension of the waiver. The board may, as a condition of any waiver granted, require the applicant to make up a certain portion or all of the minimum educational requirements waived by such methods as may be prescribed by the board.

645—132.10(152C,272C) Reinstatement of inactive practitioners. Inactive practitioners who have been granted a waiver of compliance with these rules and obtained a certificate of waiver shall, prior to engaging in the practice of massage therapy in the state of Iowa, satisfy the following requirements for reinstatement.

132.10(1) Submit written application for reinstatement to the board upon forms provided by the board with appropriate reinstatement fee; and

132.10(2) Furnish in the application evidence of one of the following:

a. Satisfactory completion of continuing education requirements during the period since the license became inactive. The total number of continuing education hours required for license reinstatement is computed by multiplying 12 by the number of bienniums since the license lapsed to a maximum of five bienniums or 60 continuing education hours.

b. Successful completion of the National Certification Examination for Therapeutic Massage and Bodywork within one year immediately prior to the submission of such application for reinstatement.

645—132.11(272C) Hearings. In the event of denial, in whole or part, of any application for approval of a continuing education program or credit for continuing education activity, the applicant, licensee or program provider shall have the right within 20 days after the sending of the notification of denial by ordinary mail to request a hearing which shall be held within 90 days after receipt of the request for hearing. The hearing shall be conducted by the board or an administrative law judge designated by the board, in substantial compliance with the hearing procedure set forth in rule 645—11.9(17A).

These rules are intended to implement Iowa Code section 272C.2, chapter 152C as amended by 2000 Iowa Acts, Senate File 2113, and chapter 272C.

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CHAPTERS 133 to 135
Reserved

CHAPTER 136
PETITIONS FOR RULE MAKING
Rescinded IAB 7/14/99, effective 8/18/99

CHAPTER 137
DECLARATORY RULINGS
Rescinded IAB 7/14/99, effective 8/18/99

CHAPTER 138
AGENCY PROCEDURE FOR RULE MAKING
Rescinded IAB 7/14/99, effective 8/18/99

CHAPTER 139
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES
Rescinded IAB 7/14/99, effective 8/18/99